

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re:

BKY 03-37876

Tracy R. Cunningham,

TRUSTEE'S WITHDRAWAL  
OF MOTION TO DISMISS

Debtor(s).

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TO: All parties in interest pursuant to LOCAL RULE 9013-3.

1. Jasmine Z. Keller, Standing Chapter 13 Trustee (the "Trustee"), by and through the undersigned counsel, hereby withdraws her Motion to Dismiss Case dated September 2, 2004 (the "Motion"). May the Court please strike the hearing on the Trustee's Motion.

Dated: October 27, 2004

**Jasmine Z. Keller, Trustee**

/e/ Margaret H. Culp

Thomas E. Johnson, ID #52000

Margaret H. Culp, ID # 180609

Counsel to the Chapter 13 Trustee

310 Plymouth Building

12 South Sixth Street

Minneapolis, MN 55402

**UNITED STATES BANKRUPTCY COURT  
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BKY 03-37876

Tracy R. Cunningham,

UNSWORN DECLARATION  
FOR PROOF OF SERVICE

Debtor(s).

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The undersigned, an employee of Jasmine Z. Keller, Standing Chapter 13 Trustee, declares that on October 27, 2004, she served the following:

1. Trustee's Withdrawal of Motion to Dismiss; and
2. Un-sworn Declaration for Proof of Service

on each of the entities named below, by U.S. mail (unless otherwise indicated) by mailing to each of them a copy thereof by enclosing the same in an envelope with first class postage prepaid and depositing the same in the post office at Minneapolis, Minnesota, addressed to each of them as follows:

Tracy R. Cunningham  
1318 Lafond Avenue  
St. Paul, MN 55104

Robert J. Everhart, Esq.  
P.O. Box 120534  
New Brighton, MN 55112

AmeriCredit Financial Services  
4000 Embarcadero Drive, Suite 200  
Arlington, TX 76014

U.S. Trustee  
1015 U.S. Courthouse  
300 South Fourth St.  
Minneapolis, MN 55415

(by electronic means)

I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 27, 2004

/e/ Lora Meier  
Lora Meier